

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

RANDY SCOTT MOODY,

Plaintiff,

V.

MARILYNN ROBERGE MALERBA,

Defendant.

Case No. 2:24-cv-02079-CDS-BNW

ORDER

On November 7, 2024, Plaintiff filed his Complaint. ECF No. 1. The Court later screened and dismissed his Complaint pursuant to 28 U.S.C. § 1915(e)(2) and twice provided Plaintiff with a deadline to file an amended complaint. ECF Nos. 6 and 8. However, in screening his Complaint, the Court overlooked the fact that Plaintiff paid the filing fee. *See* ECF No. 1. As such, the Court lacked authority to screen and dismiss Plaintiff's Complaint.

15 **IT IS THEREFORE ORDERED** that the Court's Screening Order (ECF No. 6) and the
16 Minute Order setting the amended complaint deadline (ECF No. 8) are **VACATED**.

17 **IT IS FURTHER ORDERED** that Plaintiff must serve Defendant with his Complaint
18 (ECF No. 1) in accordance with Federal Rule of Civil Procedure 4(c).

19 **IT IS FURTHER ORDERED** that Plaintiff must serve Defendant by **June 11, 2025**.
20 Failure to do so may result in a recommendation that his case be dismissed. *See* FED. R. CIV.
21 P. 4(m).

23 DATED this 13th day of March 2025.

Brenda Weksler
BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE